

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. 10/698,659 Confirmation No. 4437
Applicant : James A. Leistra
Filed : 10/31/2003
TC/A.U. : 1762
Examiner : Elena Tsoy
Docket No.: 03-292
Cust. No. : 34704

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

RESPONSE TO OFFICE ACTION

Dear Sir:

This paper is submitted responsive to the Office Action mailed November 17, 2006. That Office Action entered an election of species requirement against claims 1-40 of the application, and set a deadline for response of December 17, 2006.

The action indicated that claims 1 and 25 are generic, and required election doe position of the decomposition catalyst, support, means of depositing the catalyst, positions of the oxygen reduction catalyst and species of the oxygen reduction catalyst.

Applicants elect 1(A) (iii), 1(B) (iii), 1(C) (iv), 2(ii) and 3(i), as identified in the Office Action.

This election is made with partial traverse as follows. For section 1(A), it would be reasonable to examine both (iii) and (iv) together, specifically, the position of the catalyst as a layer between the membrane and an electrode, be it anode or cathode, should be searchable and proper for consideration together. This would lead to more efficient and compact prosecution without being unduly burdensome on the Examiner. Claims 1-6, 8-12, 14, 15, 25-29, 33, 37 and 38 all contain subject matter related to the elected species. Further, if the Examiner is persuaded by the limited traverse, consideration of claim 13 is also appropriate and requested.

10/698,659
Response dated 12/18/2006
Response to Office Action mailed 11/17/2006

It is believed that no fee is due in connection with this paper. If any additional fee is due, please charge same to deposit account 02-0184.

Respectfully submitted,

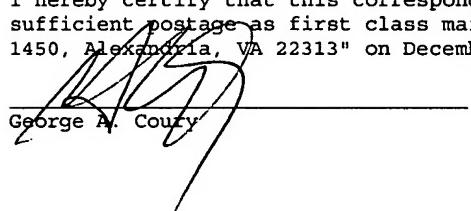
By



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December 18, 2006

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on December 18, 2006.


George A. Coury